

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **May 1, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call: Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Presentation: Certificate of Recognition: Eva Reyna-Seniors Council Advisory Committee

Proclamations: May 2006 - Water Awareness Month in the City of Hollister
May 2006 - Clean Air Month in the City of Hollister
May 14 - 20, 2006 - Bike Week in the City of Hollister
May 6 - 12, 2006 - National Nurses Week in the City of Hollister

6:00 p.m. - CLOSED SESSION AGENDA:

A. Public comment (limited to any item listed on Closed Session agenda).

B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed)
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number HO29296
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

5. City Manager Evaluation

6:30 p.m. - AGENDA

A. CONSENT RESOLUTION (May 1, 2006):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7 and A8 .

- A1. Minutes of the Special City Council Meeting of April 12, 2006 and Regular Meeting of April 17, 2006.

Approve Minutes of the Special City Council Meeting of April 12, 2006 and Regular Meeting of April 17, 2006, as submitted.

A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- April 7, 2006, in the amount of \$ 349,260.66.
- April 13, 2006, in the amount of \$ 431,309.54.
- April 20, 2006, in the amount of \$ 243,063.38.

A3. Resolution No. 2006-47, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE SAN BENITO HIGH SCHOOL BAND REVIEW.

This Resolution will authorize the temporary closure of various streets for the San Benito High School band review to be held on May 6, 2006.

A4. Resolution No. 2006-48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HORSE SHOW PARADE.

This resolution will approve temporary street closures for the Annual Horse Show Parade to be held on June 22, 2006.

and,

Resolution No. 2006-49, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE OF SEVENTH STREET.

This resolution will approve temporary street closure for the Chamber of Commerce Fiesta Block Party to be held after the Horse Show Parade on June 22, 2006.

A5. Resolution No. 2006-50, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DIRECTING THE CITY CLERK TO ADVERTISE FOR SEALED PROPOSALS FOR THE PUBLICATION OF LEGAL NOTICES FOR THE CITY OF HOLLISTER.

This resolution will authorize staff to publish the notice inviting bids for the publication of the City's legal notices pursuant to the Government Code.

A6. Resolution No. 2006-51, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVAL OF THE PRELIMINARY SPECIAL DISTRICT REPORT FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NO. 93-1 FISCAL YEAR 2006/2007.

This Resolution will approve the preliminary special district report for the levy and collection of annual assessments for Landscaping and Lighting District No. 93-1 Fiscal Year 2006/2007.

- A7. Resolution No. 2006-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE ANNUAL SAN BENITO HIGH SCHOOL PROM.

This resolution will approve temporary street closure for the San Benito High School Prom on May 20, 2006.

- A8. Resolution No. 2006-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE TEEN RALLY TO BE HELD MAY 6, 2006.

This resolution will approve temporary street closure for the annual Teen Rally event on May 6, 2006.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

2. Resolution No. 2006-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING THE 2005 COMMUNITY MEDIA ACCESS PARTNERSHIP (CMAP) ANNUAL REPORT AND 5 YEAR PERFORMANCE REVIEW.

This Resolution will adopt the 2005 CMAP Annual Report and renew the contract with CMAP.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

None.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2006-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE FORMATION OF AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND RATIFY APPOINTEES.

This resolution will approve the economic development committee and ratify its members.

2. Read by Title Only and Introduce Ordinance No. 1002, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING MUNICIPAL CODE SECTION 8.12.050 RELATING TO THE PLACEMENT OF RUBBISH CONTAINERS FOR COLLECTION.

This ordinance amends Municipal Code Section 8.12.050 relating to the placement of rubbish containers for collection.

3. Read by Title Only and Introduce Ordinance No. 1003, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING MUNICIPAL CODE SECTION 8.32.030 TO DEFINE BOARDING HOUSES, AND SECTION 8.32.060 A.(6) RELATING TO THE CONSTRUCTION OF BUILDINGS WITHOUT THE REQUIRED PERMITS.

This ordinance adds "Boarding Houses" to Municipal Code Section 8.32.030 ("Definitions"), and amends Section 8.32.060 A (6) to clarify that buildings constructed without the required permits constitute a nuisance.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for May 15, 2006, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].